

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

ANTHONY DUANE MILLS

PLAINTIFF

VS.

CIVIL ACTION NO.: 5:17-CV-110-DCB-MTP

TRAVIS PATTEN, ANTHONY NETTLES,
MATHEW HENDERSON, HENRY FRANK, JR.,
TONY NICHOLS, JERRY BROWN,
STANLEY SEARCH, JR., JACKIE DENNIS
and WALTER MACKEL

DEFENDANTS

ORDER

THIS MATTER is before the Court on Defendant Sherriff Travis Patten ("Patten")'s Motion to Strike Plaintiff's Response to Motion for Summary Judgment (Doc. 102); Defendant Walter Mackel ("Mackel")'s Joinder to Patten's Motion to Strike Plaintiff's Response to Motion for Summary Judgment (Doc. 104); and Plaintiff Anthony Mills ("Mills")'s Response to Motion for Summary Judgment (Doc. 102). Having reviewed the Defendant's motions and being fully advised of the premises, the Court DENIES the Motion to Strike.

This Court has the power to "strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter." Fed.R.Civ.P 12(f). Because

the Plaintiff's response is not a pleading within the meaning of Rule 12(f), that rule provides no basis to strike the response.

Accordingly, the Court DENIES Defendant's Motion to Strike Plaintiff's Response to Motion for Summary Judgment.

SO ORDERED this the 4th day of September, 2019.

_/s/ David Bramlette_____
United States District Judge